

12 June 2018

Mr Michael Johnsen
Chair
The Legislation Review Committee
Parliament House
Macquarie St
Sydney NSW 2001

By email: Legislation.Review@parliament.nsw.gov.au



Operation of Legislation Review Act 1987: Response to Questions on Notice

Dear Mr Johnsen,

Thank you for the opportunity to appear before this inquiry.

Please find below the response to the Questions on Notice referred to NCOSS by the Committee.

1 While we cannot point to specific cases where legislation associated with domestic violence has had a negative impact due to being overlooked by the Committee; our members emphasise that negative impacts can occur when the Parliament is given inadequate time to properly consider issues referred to it by the Committee.

For example, at the time of the introduction of the *Victims Rights and Support Act 2013* ("the Act"), the Committee raised concerns about the compensation structure and retrospective application of the Act and the time limit on victims accessing support. While some minor amendments were made to the Act, none of the issues raised by the Committee were addressed. The Act thus has a negative impact on people who have experienced domestic violence by reducing the compensation available to them (compared to the earlier regime) and imposing a time limit for applying for compensation.

The changes we recommended in our submission, particularly the requirement that Parliament consider whether legislation is compatible with a Charter of Rights, would have ensured greater weight was given to the concerns raised.

2. Though NCOSS has no definitive view on this question, we support a system which enables Parliament to consider human rights issues raised by Bills in as much detail as possible.

If you require further information in relation to our response, please contact Ya'el Frisch, Policy Officer Advocacy on [REDACTED]

Yours sincerely

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Melanie Fernandez
Deputy Chief Executive Officer